

REMARKS

Claims 1-37 are pending in this application. In the Office Action¹, the Examiner rejected claims 27-36 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,136,374 to Kompella ("Kompella").

Applicant thanks the Examiner for indicating that claims 1-26 and 37 are allowed.

Applicant respectfully traverses the rejection of claims 27-36 under 35 U.S.C. § 102(e) as allegedly anticipated by Kompella. To properly establish that Kompella anticipates Applicants' claimed invention under 35 U.S.C. § 102, each and every element of each of the claims in issue must be found, either expressly described or under principles of inherency, in that single reference. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." See M.P.E.P. § 2131, quoting Richardson v. Suzuki Motor Co., 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

Applicant respectfully requests that the Examiner identify the portions of Kompella's provisional application that support the rejection and provide Applicant with a copy of the provisional.

Moreover, Kompella does not disclose each and every element of Applicants' claimed invention. Independent claim 1 recites a combination including, for example, "the channel key expires after a predetermined amount of time" (emphasis added). The Examiner asserts that Kompella's "channel identifier" constitutes the claimed "channel

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

key.” Office Action at 4. This is incorrect. Kompella’s channel identifier, even if it could be a “key,” does not “expire after a predetermined amount of time,” as required by claim 27.

Accordingly, Kompella cannot anticipate claim 27. Independent claim 32, although of different scope than claim 27, patentably distinguishes from the reference for at least the same reasons as claim 27. Claims 28-31 and 33-36 depend from independent claims 27 or 32 and therefore include all of the elements recited therein. Accordingly, for at least the same reasons discussed above with respect to claim 27, Kompella cannot anticipate claims 28-36. Applicant therefore respectfully requests that Examiner withdraw the rejection of claims 27-36 under 35 U.S.C. § 102(e) as being anticipated by Kompella.

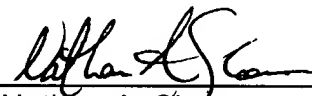
In view of the foregoing amendments remarks, Applicant respectfully requests reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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